

REMARKS/ARGUMENTS

Entry of the present Amendment and reconsideration of all claims remaining of record as presently amended are earnestly requested. Claims 37-46 are currently pending. By this amendment, claims 37-39 are amended and claim 40 is canceled without prejudice or disclaimer. Applicants respectfully submit that amended claims 37-39 set forth combinations of features recited in claims previously presented and considered and, therefore, should not require further additional searching.

The rejection of claim 40 under 35 U.S.C. §112, first paragraph, is respectfully traversed. Applicants contend that enabling support for this claim is provided in the specification in at least the following places: page 8, lines 20 through page 9, line 7; page 12, lines 21 through page 13, line 2; and, in particular, pages 38-41 in combination with Figures 19, 20A-20C.

Applicants also respectfully contend that the rejection of claim 40 based upon "backward compatibility modes" (see Official Action at page 2, 3) is misdirected and inappropriate. Claim 40 is not directed toward backward compatibility modes of operation but rather toward the selective replacement of game character graphics image data.

The rejection of claims 38 and 39 under 35 U.S.C. §112, second paragraph, as being indefinite is respectfully traversed. By this amendment, claims 38 and 39 are amended to more distinctly claim the subject matter of the invention, to wit, the phrase

"several minutes" in claim 38 is amended to "two or more minutes" and the phrase "several seconds" in claim 39 is amended to "two or more seconds".

The rejection of claims 37-46 under 35 U.S.C. §102(b) as anticipated by the grok-mame (GUI) and MAME (emulator) program(s) is also traversed. By this amendment, independent claim 37 is amended to incorporate the language of dependent claim 40 and to more distinctly claim the game character image data replacement feature. Claim 40 is canceled without prejudice or disclaimer. Applicants contend that the grok-mame emulator, or any of the known prior art programs (games) operating on a system being emulated, do not anticipate the game character graphics image data replacement feature or the game character graphics image selection program as presently set forth by claim 37. Since claims 41-46 are dependent on claim 37, applicants respectfully submit that these claims are also allowable for at least the same reason as independent claim 37.

Statement of the Substance of the 2/24/05 Telephonic Interview with the Examiner

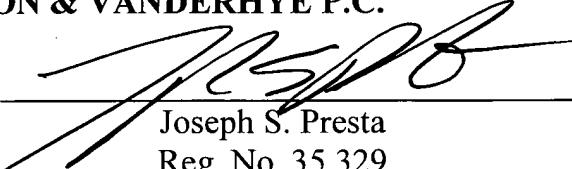
A telephone conversation was held between Greg Niessen of Nixon & Vanderhye (applicants' representative) and Examiner Corbett B. Coburn on February 24, 2005 wherein Examiner Coburn indicated that he would be willing to reconsider the allowability of claim 40 (assuming sufficient support was found to exist in the specification) if it were amended to clarify the replacement of game character graphics image data to distinguish from programs that include a backward compatibility feature.

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In view of the foregoing remarks and amendments, Applicants submit that all claims now remaining in the present application are in condition for allowance and earnestly solicit a Notice to that effect. The Examiner is invited to contact the undersigned at the telephone number listed below if any further matter remains outstanding.

Respectfully submitted,

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